

**DECISION**



*Mr. Phillips*  
*11324*  
**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

FILE: B-204530

DATE: September 8, 1981

MATTER OF: A/C Pipe, Inc.

**DIGEST:**

Protest filed with GAO more than 10 working days after protest was denied by contracting agency is untimely and not for consideration.

A/C Pipe, Inc. (A/C), protests the award to Universal Supply and Associates under District of Columbia Government invitation for bids No. 0095-AA47-1-1-MW. A/C first filed a protest against the award with the District of Columbia Government.

A/C's protest to our Office from the decision of the District of Columbia Government is untimely. Our Bid Protest Procedures, 4 C.F.R. § 21.2(a) (1981), require that, if a protest is initially filed with the contracting agency, any subsequent protest to our Office must be filed within 10 working days of notification of the initial adverse agency action on the protest. A/C states that the District of Columbia Government denied its protest on July 30, 1981. A/C's protest to our Office is dated August 26, 1981, and was received the same day. This is beyond the 10-day limit prescribed by 4 C.F.R. § 21.2(a) (1981). Therefore, the protest is not for consideration by our Office. Domar Buckle Mfg. Corp., B-202901, May 21, 1981, 81-1 CPD 401.

The protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel

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